



PTO/SB/21 (01-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/659,664
Filing Date	September 10, 2003
First Named Inventor	Binggeli
Art Unit	
Examiner Name	
Attorney Docket Number	21322 US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks USPTO Form 1449		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Eileen M. Ebel
Signature	
Date	December 12, 2003

CERTIFICATE OF TRANSMISSION/MAILINGI hereby certify that this correspondence is being transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on this date **December 12, 2003**

Typed or printed	Eileen M. Ebel	Date	December 12, 2003
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Alfred Binggeli, Uwe Grether, Hans Hilpert, Roland Humm, Hans Iding, Bernd Kuhn, Hans-Peter Maerki, Markus Meyer, Peter Mohr, Beat Wirz

Group:

Serial No. 10/659,664, filed September 10, 2003
Docket No. 21322 US

Examiner:

For: INDOLYL DERIVATIVES

INFORMATION DISCLOSURE STATEMENT

Nutley, New Jersey 07110
December 12, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicants respectfully direct the Examiner's attention to the documents listed on enclosed Form PTO-1449.

Documents A1 – A9 listed on Form PTO-1449 are not enclosed because they are U.S. Patents. Documents B1 – B20 and C1 – C25 are enclosed.

The Abstract for document B9, WO 0008002, is provided as document C21.

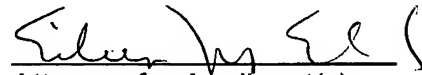
Consideration of all the documents cited on Form PTO-1449 is requested.

Serial No. 10/659,664
Filed: September 10, 2003

Since the Information Disclosure Statement is submitted before the receipt of the first Office Action on the merits, it is believed that no fee is due.

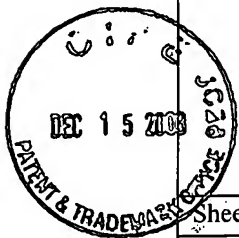
If a fee is owing, please charge our deposit account no. 08-2525.

Respectfully submitted,



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136874



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

Complete if Known

Application Number	10/659,664
Filing Date	September 10, 2003
First Name Inventor	Binggeli
Group Art Unit	
Examiner Name	
Attorney Docket Number	21322 US

Sheet 1 of 3

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	A1	5,856,529		Bristol-Myers Squibb Company	01/05/1999
	A2	6,121,397		Xerox Corporation	09/19/2000
	A3	5,089,514		Bernard Hulin	02/18/1992
	A4	4,011,326		Jensen	03/08/1977
	A5	6,291,685		Junghans, et. al.	09/18/2001
	A6	6,441,185		Kühnle, et. al.	08/27/2002
	A7	5,599,826		Mertens, et. al.	02/04/1997
	A8	4,598,089		Hadvary, et. al.	07/01/1986
	A9	6,004,996		Shah, et. al.	12/21/1999

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B1	EP 1 078 923			F. Hoffmann-La Roche A.G.	02/28/2001	
	B2	EP 0903343			SSP Co., Ltd.	03/24/1999	
	B3	EP 185,359			F. Hoffmann-La Roche A.G.	06/25/1986	
	B4	EP 189,577			F. Hoffmann-La Roche A.G.	08/06/1986	
	B5	EP 443,449			F. Hoffmann-La Roche A.G.	08/28/1991	
	B6	EP 524,495			F. Hoffmann-La Roche & Co.	01/27/1993	
	B7	WO 99/10339			Pfizer Products Inc.	03/04/1999	
	B8	WO 02 16331			Eli Lilly & Company	02/28/2002	
	B9	WO 00 08002			Glaxo Group Limited	02/17/2000	X
	B10	WO 91/19702			Pfizer Inc.	12/26/1991	
	B11	WO 94/01420			Smithkline Beecham PLC.	01/20/1994	
	B12	WO 94/13650			Smithkline Beecham PLC.	06/23/1994	
	B13	WO 95/17394			Smithkline Beecham PLC	06/29/1995	
	B14	WO 97/25042			Smithkline Beecham PLC	07/17/1997	
	B15	WO 99/08501			Dr. Reddy's Research Foundation	02/25/1999	

	B16	WO 00/09122	F. Hoffmann-La Roche AG	02/24/2000	
	B17	WO 00/09123	F. Hoffmann-La Roche AG	02/24/2000	
	B18	WO 0100603	Glaxo Group Limited	01/04/2001	
	B19	WO 03/053976	Biovit-rum AB	07/03/2003	
	B20	WO 03/004458	Biovit-rum AB	01/16/2003	
Examiner Signature		Date Considered			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation or abstract is attached.



Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)				Application Number	10/659,664
				Filing Date	September 10, 2003
				First Name Inventor	Binggeli
				Group Art Unit	
				Examiner Name	
Sheet	3	Of	3	Attorney Docket Number	21322 US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	C1	Keller and Wahli: Trends Endocrin. Metab. (1993); 4:291-296	
	C2	MacDougald and Lane: Current Biology Vol. 5 pp. 618-621 (1995)	
	C3	Guerre-Millo, et. al.; J Biol Chem2000; 275: 16638-16642	
	C4	Balfour, et. al.; Drugs 57 (1999) 921-930	
	C5	Haigh et. al., Tetrahedron: Asymmetry, 10, pp. 1353-1367	
	C6	Gotteland et al., Synlett, 9 pp. 931-932 (1995)	
	C7	Hulin et al., J. Med. Chem., 39, pp. 3897-3907 (1996)	
	C8	Nicolaou et al., J. Am. Chem. Soc., 122, pp. 3830-3838 (2000)	
	C9	Nichols et al., Anal. Biochem., 257, pp. 112-119 (1998)	
	C10	Einsiedel et. al., Bioorg. Med. Chem. Lett., 10, pp. 2041-2044 (2000)	
	C11	Goto et al., Chem. Pharm. Bull., 19, pp. 2050-2057 (1971)	
	C12	Reichstein et al., Helvetica Chimica Acta, 16, pp. 121-129 (1933)	
	C13	Diels et al., chem.. Ber., 48, pp. 897-905 (1915)	
	C14	Wightman et al., J. Org. chem., 43, pp. 2167-2170 (1978)	
	C15	Musser et al., J. Med. Chem. 30, pp. 62-67 (1987)	
	C16	Rahman et al., J. Chem. Soc. Perkin Trans. 1, 12, pp. 2973-2977 (1983)	
	C17	Kelly et. al., J. Am. Chem. Soc., 110, pp. 6471-6480 (1988)	
	C18	Kneen et al., Synthetic Communications, 16, pp. 1635-1640 (1986)	
	C19	Kim et al., Can. J. Chem., 60, pp. 2093-2098 (1982)	
	C20	Pàrkányi et al., Monatsh. Chem., 123, pp. 637-645 (1992)	
	C21	STN International @ CAPLUS Database, Accession No. 2000; 117035; Collins et al., WO 2000008002, abstract	
	C22	Malamas, MS et al, Eur. J. Med. Chem. Vol . 36, No. 1 (2001) pp. 31-42	
	C23	Hulin, B. et al., Current Pharmaceutical Design, Vol.2 (1996) pp. 85-102	
	C24	Oplinger, et. al., ACS National Meeting, San Diego, April 1-5, 2001, Poster 238, Division of Medicinal Chemistry, Section C	
	C25	Gustavsson, et. al., Chemical Abstracts, Vol. 138, No. 106,504 (2003)	
Examiner Signature			DATE CONSIDERED

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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